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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

14 SANTEYA DANYELL WILLIAMS, MARY
15 RUTH SCOTT, KAREN LATREECE
16 COLEMAN, PRISCILLA BUNTON, and
ALYCE DENISE PAYNE, on behalf of
themselves and all others similarly situated,

17 Plaintiffs,

18 vs.

19 CITY OF ANTIOCH,

20 Defendant.

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) Case No.: C-08-2301 SBA (JSC)
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)
) **DECLARATION OF BRAD SELIGMAN**
) **IN SUPPORT OF APPLICATION FOR**
) **FINAL APPROVAL OF CLASS**
) **ACTION SETTLEMENT**
)
)
) **DATE: MARCH 8, 2012**
) **TIME: 9 A.M.**
) **COURTROOM: MAGISTRATE JUDGE**
) **JACQUELINE SCOTT CORLEY**
)
)

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Attorneys for Plaintiffs

Attorneys for Plaintiffs

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2 I, Brad Seligman, declare:

3 1. I am an attorney with the Impact Fund and lead counsel for the plaintiffs and the class. I
4 have personal knowledge of the facts contained in this declaration and, if called as a witness,
5 am competent to testify to those facts.

6 2. Pursuant to the Settlement Agreement and the Court's Order Granting Preliminary
7 Approval of Settlement, notice was provided to the class by mail and posting. By the deadline
8 established by that Order, class counsel received 3 written communications from class
9 members. A fourth (from Theresa Harris) was received by fax on February 28, 2012, one day
10 after the objection deadline. Although Ms. Harris calls her letter an objection, it appears only to
11 state that she believes she was discriminated against by the Antioch Police Department. These
12 communications are attached hereto as exhibit 1. One of the communications (from Che
13 Alexander) objects to the absence of damages for his family in the settlement. A second (from
14 Lynette Allen) appears to also object on the same basis. A third communication (Pamela
15 McDonald) asks for damages as well. These objections, while understandable, do not
16 undermine the fairness and adequacy of the settlement. When the Court certified this case as a
17 class action, it also granted defendant's Motion for Judgment on the Pleadings, thus precluding
18 any damages recovery in this case by class members. Under the terms of the Settlement
19 Agreement, however, class member damages claims are not released, and nothing precludes
20 class members from pursuing their own individual remedies.

21 3. Class counsel continues to believe that the settlement is fair, reasonable and adequate
22 and urges the Court to grant Final Approval.

23 I declare under penalty of perjury that the foregoing is true and correct. Executed this
24 29th day of February, 2012 at Berkeley, California

25
26 _____ /s/ Brad Seligman _____
27 Brad Seligman

Exhibit 1

2-20-2012

Attention:

TO, Impact Fund SBN 110817
Jocelyn D. Larkin & Brad Seligman SBN 083838
125 University Ave Suite 102
Berkeley Ca

I Pamela McDonald. Live at 2844-
Hayes way in Antioch Ca would
like to be involved in the damages
Sought on the Civil Case against
the Antioch Police Dept an African
American on Section 8 my case
Started in 1995 the NAACP & the Dept
of Justice are aware of my Complaint

Thank you
Pamela McDonald
925-497-0983 cell

To Class Counsel for the City of Antioch
The Impact Fund
125 University Ave. Suite 102
Berkeley, CA 94710
and. McNamara, Ney, Beatty, Slatery, Borges & Ambacher
Attn: J. V. Fitzgerald III
1211 Newell Ave, P.O. Box 5288
Walnut Creek, CA 94596

I think it is unfair that the first 5 people receive a settlement, But I, Che Alexander the 6th plaintiff receive nothing. My case is equally important and I have been working on this for 3 years. This seems very unfair to me and I formally object. The treatment towards my family by the defendants is deplorable and should be addressed. Thank you for your time.

Sincerely,

Che Alexander
2220 Mandarin Way
Antioch, CA 94509

02/22/2012

To whom it may concern,

I Lynette Allen object to settlement agreement because my family was treated the same way and I asked for a lawyer too I was told that I would get a call and I have talked to lawyers from your office in the past and gave my story the last call I got was that they will be out soon never received a call from any lawyer I gave my story to I should have been represented by a lawyer also I was told that I was part of the class action settlement as well and a lawyers will be come out to Antioch soon I'm writing on case Williams, et al .v. City of Antioch case # C08-2301 the settlement agreement for the Antioch Police Dept I agree with that but I should be treated fair in this case to something and my family as well as the another five family the lawyers I talked to said we would be in the class action and why I wasn't represented by your office
Lynette Allen (510) 860-0557

Case num.

C-08-2301 SBA

February 28, 2012

Theresa Harris

2109 Lemontreeway, Apt. #2

Antioch, CA 94509

The Impact Fund

125 University Ave., Suite 102

Berkeley, California 94710

Dear Class Counsel and the Impact Fund,

My name is Theresa Harris. I would like to object to the settlement that was offered because I was discriminated against by the Antioch Police Department. One day walking out of my house after being sick with the flu looking frail, I was on my way to pick up my cousin from school. Who is was a special needs child. A black van pulls up and two men jump out I almost I started to run because did not know whom the two men were jumping out of the van. They did not acknowledge that they were the Antioch police until I saw their badges the officers ask me if I just got out of a white car, and I told them no I was then pat searched by two male police officers. When they searched me, they found nothing. Then they ask me if I was on parole or probation. My response to the question was no. the officers then radio in to see if I was on parole or probation, and they seen that I was not. While asking me where did I live I told 2109 Lemontreeway #2 they ask me if I was on Section 8 I replied yes one of the officer said people are moving here from Richmond and Oakland

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on section 8. In addition, we are trying to move them out. I very upset the officers made me feel like I was degraded. , the two male officers searching me a women, they should have call for a women officer to search me. I have wittiness to this incident

Sincerely,

Theresa Harris